

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC.
PRODUCTS LIABILITY LITIGATION

v.

MDL No: 1:13-md-2419-RWZ

This Document Relates to:

Brady, et al. v. Unifirst Corporation, et al.

No: 1:14-cv-10284-RWZ

JOINT MOTION FOR ORDER TO REVISE BRIEFING SCHEDULE

The Plaintiffs' Steering Committee (the "PSC") and counsel for the following parties:

Cincinnati Pain Management Consultants, Inc., Cincinnati Pain Management Consultants Ltd.

and Gururau Sudarshan, M.D. (collectively "CPM Defendants"), conferred in order to establish a revised briefing schedule for the CPM Defendant's Rule 12(b)(6) Motion to Dismiss (Dkt.

1013). As a result, the parties have agreed to the following revised briefing schedule:

1. CPM Defendants have agreed to produce documents in response to the PSC's Subpoena **in advance of the deadline for the PSC to file an Opposition to the Motion to Dismiss.**
2. The PSC will file its Opposition to the Motion to Dismiss filed by the CPM Defendants no later than **Three weeks after production is made;**
3. The CPM Defendants will file a Reply, if any, not to exceed 5 pages, to the PSC's Opposition to the Motion to Dismiss no later than **Two weeks after the PSC files its Opposition to the Motion to Dismiss.**
4. If necessary, the PSC may file a sur-reply, not to exceed 5 pages, to the Reply to the PSC's Opposition to the Motion to Dismiss filed by the CPM Defendants no later than **Two weeks after CPM Defendants file their Reply.**

The parties respectfully request that the Court enter the attached order to formalize the above-described revised briefing schedule.

In addition, pursuant to Local Rule 7.1(d), the parties request that the Court reserve a date for oral argument of the above-referenced Motion to Dismiss.

Respectfully Submitted,

/s/ Kimberly A. Dougherty

Kimberly A. Dougherty
JANET, JENNER & SUGGS, LLC
31 St. James Avenue, Suite 365
Boston, MA 02116
Telephone: (617) 933-1265
kdougherty@myadvocates.com

Plaintiffs' Steering Committee

Thomas M. Sobol
Kristen Johnson Parker
HAGENS BERMAN SOBOL SHAPIRO, LLP
55 Cambridge Parkway, Suite 301
Cambridge, MA 02142
Telephone: (617) 482-3700
Facsimile: (617) 482-3003
tom@hbsslaw.com
kristenjp@hbsslaw.com

Plaintiffs' Lead Counsel

Elizabeth J. Cabraser
Mark P. Chalos
Annika K. Martin
LIEFF CABRASER HEIMANN & BERNSTEIN,
LLP
150 Fourth Avenue North, Suite 1650
Nashville, TN 37219
Telephone: (615) 313-9000
Facsimile: (615) 313-9965
ecabraser@lchb.com
mchalos@lchb.com
akmartin@lchb.com

Federal/State Liaison

Marc E. Lipton
LIPTON LAW
18930 W. 10 Mile Road
Southfield, MI 48075

Telephone: (248) 557-1688
Facsimile: (248) 557-6344
marc@liptonlawcenter.com

Patrick T. Fennell
CRANDALL & KATT
366 Elm Avenue, S.W.
Roanoke, VA 24016
Telephone: (540) 342-2000
pfennel@crandalllaw.com

Mark Zamora
ZAMORA FIRM
6 Concourse Way, 22nd Floor
Atlanta, GA 30328
Telephone: (404) 451-7781
Facsimile: (404) 506-9223
marc@markzamora.com

J. Gerard Stranch, IV
Benjamin A. Gastel
BRANSETTER, STRANCH & JENNINGS PLLC
227 Second Avenue North
Nashville, TN 37201
Telephone: (615) 254-8801
Facsimile: (615) 255-5419
gerards@branstetterlaw.com

Plaintiffs' Steering Committee

The Defendants,

Cincinnati Pain Management Consultants, Inc.,
Cincinnati Pain Management Consultants Ltd. and
Gururau Sudarshan, M.D.

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on **May 23, 2014**

/s/ Kimberly A. Dougherty

By their attorney,

/s/ Anthony E. Abeln

Tory A. Weigand, BBO #548553
Anthony E. Abeln, BBO #669207
Morrison Mahoney LLP
250 Summer Street
Boston, MA 02210-1181
(617) 439-7500
tweigand@morrisonmahoney.com
aabeln@morrisonmahoney.com